

R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

MINUTES
City of Dickinson
**PLANNING AND
ZONING COMMISSION
REGULAR MEETING**

Leslie Boudwin
Deborah Fortner
Marjorie Morgan

May 19, 2020

The Planning and Zoning Commission of the City of Dickinson, Texas met in a duly called and announced **Regular Meeting** on **Tuesday, May 19, 2020, at 6:30 p.m.** In accordance with order of the Office of the Governor issued March 16, 2020, the Planning and Zoning Commission of the City of Dickinson, Texas conducted the meeting by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). The meeting was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Roll call of members
Invocation
Pledge of Allegiance

Chairman Reeder called the meeting to order at 6:30 p.m. City Secretary Alun Thomas called roll and certified a quorum. Planning and Zoning Commission Members present were as follows: Chairman R.G. Reeder, Vice-Chairman Bill Bonham, and Commission Members Deborah Fortner, Bill Latimer, and Marjorie Morgan. Planning and Zoning Commission Members Greg Smith and Leslie Boudwin were absent. Also present were Director of Community Services Kola Olayiwola and Chief Building Official S. R. Burgess.

ITEM 2.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Minutes of the October 15, 2019 Regular Meeting.

Commission Member Bonham made a motion to approve the minutes of the October 15, 2019 regular meeting, and Commission Member Latimer seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:

5 AYES (Bonham, Fortner, Latimer, Morgan, Reeder)
0 NAYS

MOTION PASSED

ITEM 3.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Minutes of the December 3, 2019 Special Meeting.

Commission Member Fortner made a motion to approve the minutes of the December 3, 2019 special meeting, and Commission Member Latimer

seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:

5 AYES (Bonham, Fortner, Latimer, Morgan, Reeder)

0 NAYS

MOTION PASSED

- ITEM 4.) CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0125, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".**

Chairman Reeder opened the public hearing at 6:33 p.m.

A. Staff Presentation

Chief Building Official S. R. Burgess presented the item and gave a brief history of the property's use as a boat repair facility. Mr. Burgess said that the Applicant has made similar requests for a Specific Use Permit in the past, but this one differs from those in that it narrows the scope by the amount of area that may be used for boat service. Fire Marshal Burt Heddles conducted a review of the property, Mr. Burgess said, and he had no objections to the Applicant submitting this request for a Specific Use Permit. Previous requests were denied at least in part by the presence of several old watercraft that had remained on the property for years. Mr. Burgess said that the large sailboat and all three other boats have now removed from the property, and staff now has no objections to the issuance of the requested Specific Use Permit.

B. Applicant's Statement

Arthur DiNicholantonio, 1611 Lake Arbor Drive, El Lago, Texas – Mr. DiNicholantonio said that he has been trying to start a business on his property for four years. He has now addressed every objection that the City has raised so far and would like to be granted a Specific Use Permit. He said that all boats will be kept on trailers, and that the property will not be used for storage.

C. Those in Favor

None.

D. Those Opposed

None.

E. Applicant Rebuttal

None.

F. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 6:40 p.m.

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0125, A Request for a Specific Use Permit, for a "Boat Service Establishment" Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial "GC".

The Commission discussed the request for a Specific Use Permit, with Commission Member Fortner noting that there is still one derelict boat on a trailer on the property. Mr. DiNicholantonio said that the boat is not derelict; it is owned by a friend of his and he lets his friend keep his boat on the property as a favor. In response to a question from the Commission, Mr. DiNicholantonio said that he anticipated having two to three boats on the property for repairs at any given time. Chief Building Official S. R. Burgess said that the Specific Use Permit would allow for a maximum of four boats. Although there is not a time limit for how long the boats being repaired may stay on the property, Mr. DiNicholantonio said that the average boat takes about a week, depending on the availability of replacement parts, to be repaired. Any customer who fails to pay for the repairs will have their boat towed from the property. Mr. DiNicholantonio said that he would keep the property in the condition that it is in now.

Following the discussion, Commission Member Latimer made a motion to recommend approval of the Specific Use Permit, and Commission Member Bonham seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:

5 AYES (Bonham, Fortner, Latimer, Morgan, Reeder)

0 NAYS

MOTION PASSED

The Commission thanked Mr. DiNicholantonio for cleaning up his property.

ITEM 6.) CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0130, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".

Chairman Reeder opened the public hearing at 6:45 p.m.

A. Staff Presentation

Chief Building Official S. R. Burgess presented the item to the Commission, and thanked City Secretary Alun Thomas for his role in getting notifications sent out for this request. He explained how the parking will work for the property, and said that the fire escape plan has been approved by Fire Marshal Burt Heddles. Mr. Burgess informed the Commission that the Galveston County Health District confirmed that the food service at the bed and breakfast would not be regulated. Staff, he said, recommends approval of the variance, and the application meets all requirements for approval.

B. Applicant's Statement

Jeff Nuss, 3822 Water Street, Dickinson, Texas – Mr. Nuss said that the bed and breakfast has been a dream of his and his wife's for years. The lot is beautiful, and Mr. Nuss has lived in the neighborhood for fifty years. He said that his neighbor will always come first, and that the bed and breakfast will be priced right for the right people and will compliment the area. Mr. and Mrs. Nuss are a part of the community and care about the city.

C. Those in Favor

None.

D. Those Opposed

The Commission received a letter from Greg and Tammy Dittrich of 3817 Kellner Road, Dickinson, Texas. In the letter, they expressed their desire for a wooden fence to be erected between their properties for liability and privacy reasons, as they do not want strangers wandering onto their property. For years, they have been told by Mr. Nuss that he will erect such a fence but he has not.

E. Applicant Rebuttal

Mr. Nuss said that he has two cottages that will eventually be bed and breakfasts, if the application for a Specific Use Permit is approved. The cottage closest to the Dittrich's property line is not ready for guests yet. The Nuss' have been soliciting quotes for a fence, but commented that the property line is shared so the fence is not solely their responsibility. The intention for the cottage closest to the property line, he said, is for it to be dog-friendly, so it will have a fence.

F. Adjourn Public Hearing

Chairman Reeder adjourned the public hearing at 6:57 p.m.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: SUP-20-0130, A Request for a Specific Use Permit, for a "Bed and Breakfast" Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential "CR".

The Commission discussed the possibility of a fence along the Dittrich's property line. Mr. Nuss said that he was planning a 7' fence there. Chief Building Official S. R. Burgess informed Mr. Nuss that a 6' fence does not require engineering. The Applicants said that although the fence is not required, there will be a fence to afford their guests their privacy.

Following the discussion, Commission Member Latimer made a motion to recommend approval of the Specific Use Permit, and Commission Member Fortner seconded the motion. There being no further discussion, Chairman Reeder called for a vote.

VOTE:

5 AYES (Bonham, Fortner, Latimer, Morgan, Reeder)

0 NAYS

MOTION PASSED

ITEM 8.) ADJOURN

Before the Commission adjourned, Chief Building Official S. R. Burgess introduced Director of Community Services Kola Olayiwola. The Commission welcomed him to Dickinson. Commission Member Fortner made a motion to adjourn the meeting at 7:08 p.m., and Commission Member Latimer seconded the motion. There being no discussion, Chairman Reeder called for a vote.

VOTE:

5 AYES (Bonham, Fortner, Latimer, Morgan, Reeder)

0 NAYS

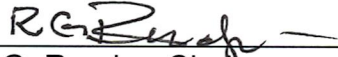
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 18th day of August, 2020.

ATTEST:


Alun W. Thomas, City Secretary




R. G. Reeder, Chairman
City of Dickinson, Texas
Planning & Zoning Commission